



Appeal Decision

Site visit made on 13 February 2024

by H Smith BSc (Hons) MSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 March 2024

Appeal Ref: APP/J3720/W/23/3329108

Hall Farm, Spring Lane, Langley, Warwickshire CV37 0HW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Neil Ewings against the decision of Stratford-on-Avon District Council.
 - The application Ref is 22/01968/FUL.
 - The development proposed is extensions to farmhouse and conversion and change of use of stables.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the application was determined, a revised National Planning Policy Framework (Framework) was published on 19 December 2023. However, as any policies that are material to this decision have not fundamentally changed, I am satisfied that this has not prejudiced any party. I have had regard to the latest version of the Framework and new paragraph numbers in reaching my decision.
3. The appellant has submitted an alternative scheme as shown on revised plans in appendix 2 of the appellant's statement of case. These revised plans were submitted to the Council in May 2023 with planning application ref: 23/01442/FUL, but the application was later withdrawn. Taken cumulatively, the proposed changes shown on the revised plans would materially alter the nature of that which was originally applied for, consulted upon and determined by the Council for 22/01968/FUL. Indeed, the alternative scheme would be fundamentally different in its visual appearance to the original application.
4. Paragraph 16.1 of the Procedural Guide Planning Appeals – England advises that the appeal process should not be used to evolve a scheme. It is important that what I consider is essentially what was considered by the local planning authority and on what interested parties' views were sought. Whilst some comments by interested parties on the alternative scheme have been provided, I am not persuaded that all those who should have been consulted on the proposed revisions to the original scheme have been given the opportunity to review and respond to these changes adequately. If I were to determine the appeal based on the revised plans, it is possible that the interests of parties who might wish to comment would be prejudiced. For the avoidance of doubt, I have therefore determined the appeal on the basis of the plans which were before the Council when it made its decision.

Main Issues

5. The main issues are:

- the effect of the proposal upon the character and appearance of the area; and
- highway safety.

Reasons

Character and Appearance

6. The appeal site is located on Spring Lane. It comprises a three-storey farmhouse with an associated stable block building, which together form a courtyard setting.
7. The appeal buildings are mainly red brick and have characteristic features relating to its original function as part of a rural farmstead. The appeal site itself, because of the traditional style farm buildings and its positioning within spacious grounds, makes a positive contribution to the rural character of the surrounding area.
8. The proposal would result in a two-storey side extension off the eastern elevation of the farmhouse building. The two-storey extension would be set back from the front elevation and would have a lower roof. The overall form of the extension would therefore be subordinate to the original farmhouse building. However, the appearance of the proposed mock Tudor gable feature would not complement the existing building and would represent an alien feature that would detract from the appearance of the farmhouse. I find the proposal to represent poor design in this context.
9. Furthermore, the proposed two-storey side extension's elevation facing the road would have no windows. This would result in a blank brick elevation rising above the nearby brick wall, and would appear as a stark and unduly prominent feature within the street scene.
10. The proposal would also introduce new windows to the existing farmhouse building. Currently there are two openings at ground and first floor level on the building's front elevation. The proposed windows would not replicate the existing architectural features into its design, such as horizontal glazing bars. Moreover, the proposal would include several new modern windows with a scale and design that would differ to the building's original windows. This lack of architectural detail and disproportionate approach to fenestration would erode the original character and architectural appearance of the farmhouse building.
11. A link extension is proposed to join the two buildings together. Although the extension has been designed to have a subservient form, the extensive glazing design would ensure that it would become a prominent new feature. The scale of the large glazing features and the top heavy lean to zinc roof would result in it appearing at odds with the proportions and overall design of the existing buildings. Rather than adding interest, it would appear as an incongruous and noticeable addition. While the link extension would only be visible from limited viewpoints, it would detract from the general character of the wider area.

12. The proposed development of the stable block building would insert two large full length patio doors with full length glazing panels either side into an elevation with no existing openings. This would introduce overtly modern features that would detract from the plain, simple, and utilitarian character of the existing stable block. Furthermore, the replacement of the existing stable doors with uncharacteristic glazing panels would fail to respect or preserve the character and appearance of the stable block building.
13. The proposed rooflights are limited in number and size and would provide benefits to future residents with regard to light and outlook. As such, I do not find harm in this regard, but the harm I have identified above remains.
14. For the reasons given, the proposal would cause unacceptable harm to the character and appearance of the area. As such, the proposal fails to accord with Policies CS.8, CS.9 and CS.20 of the Stratford-on-Avon District Core Strategy (2011-2031) (2016) (Core Strategy). Collectively, these policies seek to ensure development is of high quality design which respects its surroundings, protecting rural character and local distinctiveness. It would also conflict with guidance set out in Part G of the Development Requirements Supplementary Planning Document. Furthermore, the proposal would fail to accord with the design objectives of the Framework.

Highway Safety

15. The existing vehicular access to the appeal site would be shared between the proposed development and the adjacent dwelling permitted under planning application 22/01632/COUQ. The Highway Authority is concerned that this would result in an intensification in the use of the existing access with the public highway, to which I agree. This is because the proposal seeks to increase the number of bedrooms from 3 to 4. This would increase parking demand and visitors to the site, which would lead to an increase in vehicle movements entering and exiting the site.
16. During my site visit I observed a brick boundary wall and shrubs to the north of the site access. The solid boundary wall and shrubs would significantly constrain driver visibility, particularly when exiting the site. Due to the restricted visibility, there would not be adequate time to react to oncoming users of the highway. This would lead to an increased risk of vehicle collisions in the area, to the detriment of highway safety.
17. The submitted evidence has not demonstrated that the proposed access arrangements can accommodate the adequate visibility splays for vehicles exiting the site, and that pedestrian visibility can also be achieved. With the absence of substantive evidence to the contrary, I find the proposed access arrangements would not secure a safe visibility splay and safe access to the site.
18. Consequently, it has not been demonstrated that the proposal would not have an adverse impact on highway safety. A condition would not be reasonable as any mitigation measures found necessary to remove adverse effects on highway safety could lead to a substantial redesign of the development.
19. I therefore conclude that insufficient information has been submitted to be satisfied that highway safety would not be adversely affected by the proposed development.

20. For the reasons given, the proposal would unacceptably harm highway safety. As such, the proposal would fail to accord with paragraph 115 of the Framework which seeks to ensure that development proposals would not have an unacceptable impact on highway safety. The proposal would also fail to accord with Policies CS.9 and CS.26 of the Core Strategy. These policies amongst other things, seek to ensure development does not compromise highway safety and minimises danger from traffic.

Other Matters

21. My attention has been drawn to a recent planning approval (ref: 23/02609/FUL). However, I have not been presented with the full details of this other case, including details such as the officer's report and consultation responses. Therefore, the full details of the circumstances which led to this development being accepted are not before me. In any event, I have determined this appeal on its own merits based on the evidence before me and my observations on site.
22. I acknowledge the submitted representations of support, which included support for use of the dilapidated buildings. However, none of the evidence before me leads me to a different view.

Conclusion

23. The proposal conflicts with the development plan when read as a whole, and there are no material considerations worthy of sufficient weight that would indicate a decision other than in accordance with it. The appeal is therefore dismissed.

H Smith

INSPECTOR